

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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EDDIE MOORE,

Plaintiff,

Case No. 1:07-CV-756

v.

Hon. Gordon J. Quist

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on August 12, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed August 12, 2008, is approved and adopted as the opinion of the Court.

**IT IS FURTHER ORDERED** that: (1) Defendants Hillman and Beyers are **DISMISSED** for lack of service; (2) Defendant Wells' Motion For Dismissal Under Rule 12(B) Or Summary Judgment Under Rule 56(B) Based On Failure To Exhaust Administrative Remedies (docket no. 14) is **DENIED**; and (3) Plaintiff's Motion For Reconsideration (docket no. 17) is **DENIED**.

Dated: September 18, 2008

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE